

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DONALD ALFONSO, *individually and on
behalf of others similarly situated*,

Plaintiffs,

21 **CIVIL** 5302 (LJL)

-against-

JUDGMENT

MOUGIS LOGISTICS CORP.,

Defendant.

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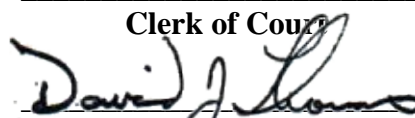
It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated December 6, 2021 and Order dated January 11, 2022, Defendants' motion to dismiss Plaintiff's FLSA minimum wage claim pursuant to Fed. R. Civ. P. 12(b)(6) is GRANTED without prejudice. The Court declines to exercise supplemental jurisdiction over Plaintiff's claims for violations of New York law and accompanying regulations, and those claims are therefore dismissed without prejudice. On December 6, 2021, the Court dismissed Plaintiff's FLSA minimum wage claim without prejudice, explaining that Plaintiff has until January 5, 2022 to file an amended complaint or else the Court would dismiss the claim with prejudice and direct the Clerk of Court close the case. Plaintiff has not filed an amended complaint. It is hereby ORDERED that Plaintiff's FLSA minimum wage claim is dismissed with prejudice; accordingly, the case is closed.

Dated: New York, New York
January 13, 2022

RUBY J. KRAJICK

Clerk of Court

BY:



Deputy Clerk